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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NATASHA K. DOMINGUEZ, an individual,

Plaintiff,

v.

LANDSTAR SYSTEM, INC., a foreign
corporation; LANDSTAR EXPRESS AMERICA,
INC., a foreign corporation; and RANDALL K.
INCE, an individual; DOES 1 through 10, inclusive;
ROE CORPORATIONS 1 through 10, inclusive

Defendants.

CASE NO: 2:22-cv-01623-JAD-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES
(THIRD REQUEST)**

Plaintiff NATASHA K. DOMINGUEZ and Defendants LANDSTAR EXPRESS AMERICA,
INC. and RANDALL K. INCE, by and through their respective counsel of record, hereby
STIPULATE AND AGREE to extend the current discovery deadlines as set forth in the Stipulation
and Order to Extend Discovery Deadlines (Second Request) (Doc. 29), for an additional sixty (60)
days. In accordance with Local Rule 26-4, the parties state as follows:

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I. DISCOVERY COMPLETED TO DATE

The parties served their initial disclosures, and Plaintiff supplemented her disclosures on December 29, 2022. Defendants supplemented their initial disclosures on March 27, 2023.

The parties have propounded and responded to written discovery requests. Plaintiff's initial written discovery requests to Defendants were served on November 18, 2022. Defendant Ince's responses were served on or about December 29, 2022, and Defendant Landstar Express' responses were served on or about January 5, 2023. Defendant Landstar Express' first set of written discovery requests to Plaintiff were served on November 1, 2022, and Plaintiff's responses were provided on December 29, 2022. Landstar served its second set of interrogatories to Plaintiff on February 16, 2022, and Plaintiff responded on March 21, 2023. Landstar's second set of requests for production of documents was served on May 2, 2023, and Plaintiff's responses are pending.

The deposition of Plaintiff Natasha Dominguez was completed on February 1, 2023.

An inspection of Defendant Ince's vehicle was completed on April 3, 2023.

II. DISCOVERY THAT REMAINS TO BE COMPLETED

- Plaintiff's responses to Landstar's Second Set of Requests for Production of Documents
- The deposition of the Defendant Ince
- The FRCP 30(b)(6) deposition of Landstar Express
- Additional party and percipient witness depositions
- Obtaining Plaintiff's updated medical and billing records based on Plaintiff's deposition testimony
- Disclosure of initial and rebuttal expert reports
- Expert discovery and depositions once experts have been disclosed
- Additional written discovery to the extent necessary

III. REASONS DISCOVERY CANNOT BE COMPLETED IN THE TIME REMAINING

The parties are aware of the Court's strong emphasis on completing discovery within the time frame set forth in the Scheduling Order. The parties respectfully submit that neither side has been derelict nor waited until the eve of the close of discovery. Plaintiff's treatment has been on-going since the date of the subject accident. At her deposition, Plaintiff testified that she has been recommended for follow-up diagnostic testing at University of California Irvine and may potentially be referred to an institution, such as UCLA Medical Center, for further care and treatment. Plaintiff has not yet undergone that evaluation or treatment because of her current school schedule, but she was expected to graduate from nursing school in April 2023. Plaintiff must complete this treatment to allow the parties' respective experts to fully evaluate and provide opinions in this case. Plaintiff must also fully ascertain her future treatment needs prior to trial or settlement. The current discovery schedule will cause multiple supplemental reports to be necessary due to the continued treatment and uncertainty about Plaintiff's future treatment recommendations. Additionally, the parties continue to discuss potential settlement and/or mediation.

IV. GOOD CAUSE EXISTS TO GRANT THE REQUESTED EXTENSION

The parties are diligently working to resolve or narrow down the issues before the Court. The delay is not the result of neglect or inattention. The instant stipulation is submitted within the timeframe outlined by LR II 26-4. The parties mutually agree to work together to create a schedule that will provide them with the best opportunity to timely complete discovery without the need for further extensions.

V. ~~PROPOSED~~ NEW DISCOVERY SCHEDULED

The parties request that the pertinent discovery deadlines set forth in the current Stipulation and Order to Extend Discovery (Second Request) be continued as follows:

A. Discovery Cutoff Date:

The cutoff date for discovery shall be Friday, October 20, 2023 (continued from the current deadline of August 21, 2023).

B. Disclosures of Experts:

The disclosures of initial experts and their reports shall be Friday, August 18, 2023 (continued from the current deadline of June 19, 2023).

The disclosures of rebuttal experts and their reports shall be Monday, September 18, 2023 (continued from July 19, 2023).

C. Dispositive Motions:

The date for filing dispositive motions shall not be later than Monday, November 20, 2023, 30 days after the proposed discovery cutoff date.

D. Pretrial Order:

The date for filing the joint pretrial order shall not be later than Wednesday, December 20, 2023, 30 days after the deadline for filing dispositive motions (continued from the current deadline of October 20, 2023).

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If dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after the decision on the dispositive motions or until further order of the Court.

Dated this 17th day of May 2023.

Dated this 17th day of May 2023.

HICKS & BRASIER, PLLC

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ORDER EXTENDING DISCOVERY DEADLINES (THIRD REQUEST)

IT IS SO ORDERED.

Raymond J. Zouchak
U.S. Magistrate Judge

DATED: May 17, 2023